

PATENT

- 1 -

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

)	Group Art Unit:
)	
In re Patent Application of)	Examiner:
)	
WILLIAM K. HILFIKER and HAROLD K.)	
HILFIKER)	<u>INFORMATION DISCLOSURE</u>
)	<u>STATEMENT</u>
)	
Date Filed: Herewith)	P.O. Box 190187
)	San Francisco, CA 94119-0187
For: EARTHEN RETAINING WALL)	(415) 369-7641
HAVING FLAT SOIL)	(415) 369-8789 (Fax)
REINFORCING MATS WHICH)	
MAY BE VARIABLY SPACED)	
)	

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants submit herewith patents, publications or other information [attached hereto and listed on the attached Form PTO-1449 (modified)] of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

This Information Disclosure Statement:

- (a) ☒ accompanies the new patent application submitted herewith. 37 CFR § 1.97(a).
- (b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR § 1.491.
- (c) ☐ as far as is known to the undersigned, is filed before the mailing date of a first Office Action on the merits.
- (d) ☐ is filed after the first office action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance,

whichever occurs first, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) **or** a certification as specified in 37 CFR § 1.97(e), as checked below.

- (e) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and the Issue Fee has not been paid, and is accompanied by the fee (\$130) set forth in 37 CFR § 1.17(i)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.

[If either of boxes (d) or (e) are checked above, the following "certification" under 37 CFR § 1.97(e) may need to be completed.] The undersigned certifies that:

- (f) ☐ Each item of information contained in the information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- (g) ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this information disclosure statement.

A list of the patent(s) or publication(s) is set forth on the attached Form PTO-1449 (Modified).

A copy of the items on PTO-1449 (Modified) is supplied herewith:

- (h) ☒ each (i) ☐ none (j) ☐ only those listed below:

Those patent(s) or publication(s) which are marked with an asterisk (*) in the attached form PTO-1449 (Modified) are not supplied because they were previously cited by or submitted to the Office in a prior application no. , filed and relied upon in this application for an earlier filing date under 35 U.S.C. § 120.

A concise explanation of relevance of the items listed on form PTO-1449 (Modified) is:

- (k) ☒ not given
- (l) ☐ given for each listed item
- (m) ☐ given for only non-English language listed item(s)
[Required]
- (n) ☐ given in the form of an English language copy of a Notification of Transmittal of the International Search Report or the Declaration, issued in a counterpart PCT application, which refers to the relevant portions of certain of the references [copy attached].

The Examiner is reminded that a "concise explanation of the relevance" of the submitted items "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention," MPEP § 609.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

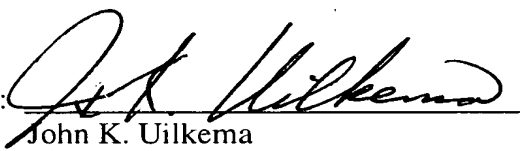
In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR § 1.98 and MPEP § 609 and the Examiner is respectfully requested to consider the listed references.

- [x] The Commissioner is hereby authorized to charge our Deposit Account No. 50-0918 for any fees required in connection with the filing of this Information Disclosure Statement. **A duplicate copy of this Notice is enclosed for this purpose.** In particular, in the event that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is authorized to charge the above-named deposit account for any fees required pursuant to CFR §§ 1.17(p) or 1.17(i)(1).

Respectfully submitted,

THELEN REID & PRIEST LLP

Dated: Nov. 26, 2003

By: 
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Thelen File: 035105-2

FORM PTO-1449 (Modified) (Rev. 7-80)		U.S. Dept. of Commerce Patent and Trademark Office		Atty Docket No. 035105-2		Appln. No. NEW	
INFORMATION DISCLOSURE CITATION							
(Use several sheets if necessary)							
				Applicant(s) William K. Hilfiker and Harold K. Hilfiker			
				Filing Date Herewith		Group	
U.S. PATENT DOCUMENTS							
*Examiner Initials		Document Number	Date	Name	Class	Subclass	Filing Date
	AA	4,117,686	10/03/78	Hilfiker	405	284	11/16/77
	AB	4,324,508	4/13/82	Hilfiker et al.	405	284	01/9/80
	AC	4,329,089	05/11/82	Hilfiker et al.	405	262	07/12/79
	AD	4,391,557	07/05/83	Hilfiker et al.	405	287	11/12/81
	AE	4,505,621	03/18/85	Hilfiker et al.	405	284	05/25/83
	AF	4,643,618	02/17/87	Hilfiker et al.	405	287	02/11/85
	AG	4,856,939	08/15/89	Hilfiker et al.	405	284	12/28/88
	AH	4,929,125	05/29/90	Hilfiker	405	262	03/08/89
	AI	4,961,673	10/09/90	Pagano et al.	405	287	02/14/89
	AJ	5,531,547	07/02/96	Shimada	405	262	10/12/94
	AK	5,622,455	04/22/97	Anderson et al.	405	262	06/07/95
	AL	5,722,799	03/03/98	Hilfiker	405	262	05/23/96
	AM	5,733,072	03/31/98	Hilfiker et al.	405	284	07/31/96
	AN	6,357,970	03/19/02	Hilfiker et al.	405	302.7	05/10/00
FOREIGN PATENT DOCUMENTS							
*Examiner Initials		Document Number	Date	Country	Class	Subclass	Translation YES NO
	AO	N 75 07114	10/1/76	France			X
OTHER DOCUMENTS							
	AP	Barry R. Christopher, etc., "The Heavy Duty Geogrid Wall," <u>Civil Engineering</u> , May 1988, pp. 75-77					
Examiner				Date Considered			
* Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							